THIS IS A TWO-SIDED DOCUMENT

NEW YORK STATE OF OPPORTUNITY. Adirondack Park Agency	APA Permit 2024-0110
P.O. Box 99, 1133 NYS Route 86 Ray <u>Brook, New York 12977</u> Tel: (518) 891-4050 www.apa.ny.gov	Date Issued: May 30, 2024
In the Matter of the Application of NATIONAL GRID Permittee	To the County Clerk: Please index this permit in the grantor index under the following names: 1. National Grid
for a permit pursuant to § 809 of the Adirondack Park Agency Act	

SUMMARY AND AUTHORIZATION

This permit authorizes installation of six new midspan utility pole structures and three replacement utility pole structures in an area in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Towns of Fort Ann in Washington County and Queensbury in Warren County.

This authorization shall expire unless recorded in the Warren and Washington County Clerk's offices within 60 days of issuance of a signed and notarized permit. The signed and notarized permit shall be recorded in the names of all persons listed above and in the names of all owners of record of any portion of the project site on the recordation date.

The project shall not be undertaken or continued unless the project authorized herein is in existence within five years of the date the permit is recorded in the County Clerk's Office. The Agency will consider the project in existence when one of the authorized utility poles has been installed.

The project shall be undertaken in compliance with all conditions stated herein. Failure to comply with this permit is a violation and may subject the permittee, successors, and assigns to civil penalties and other legal proceedings.

This permit does not convey any right to trespass upon the lands or interfere with the riparian rights of others in order to undertake the authorized project, nor does it authorize the impairment of any easement, right, title or interest in real or personal property.

Nothing contained in this permit shall be construed to satisfy any legal obligations of the permittee to comply with all applicable laws and regulations or to obtain any governmental approval or permit from any entity other than the Agency, whether federal, State, regional, or local.

PROJECT SITE

The project site is located within an existing transportation and utility right of way located on NYS Route 149 in the Towns of Fort Ann in Washington County and Queensbury in Warren County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map.

PROJECT DESCRIPTION

The project as conditionally approved herein involves replacement of an existing 43-foot utility pole with a new pole with an overall height of 47.5 feet and installation of three new utility poles ranging in height from 43 feet to 52 feet in the Town of Queensbury. Replacement of existing 38.5-foot and 43-foot utility poles with new poles with an overall height of 43 feet to 47.5 feet respectively and installation of three new 43-foot utility poles.

The project is shown on the following Project Plans:

- Three plan sheets titled "National Grid USA 38-23-307029031-14," prepared by Mike Conley, National Grid, and dated March 5, 2024 (Site Plan); and
- A two-page narrative titled "New pole install" un-signed, and received by the Agency on April 18, 2024 (Work Plan).

A reduced scale copy of the plans is attached to this permit for reference.

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to the construction of any structure in excess of 40 feet in height on Moderate Intensity Use lands in the Adirondack Park

CONDITIONS

THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

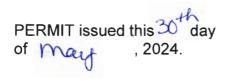
- 1. The project shall not be undertaken until this permit has been recorded in the Warren and Washington County Clerk's offices.
- 2. This permit is binding on the permittee, all present and future owners or lessees of the project site, and all persons undertaking all or a portion of the project, for as long as the authorized structures remains on the site. Copies of this permit and Project Plans shall be furnished by the permittee to all subsequent owners or lessees of the project site prior to sale or lease, and by the permittee and/or any subsequent owner or lessee to all persons undertaking any development activities authorized herein.
- 3. In addition to complying with all terms and conditions of this permit, all future activities on the project site shall be undertaken in compliance with the requirements of New York State's Adirondack Park Agency Act, Freshwater Wetlands Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].

- 4. This permit authorizes the installation of Structures 135, 131-1, 131-2, 131-3, 148,149,148.5,148.5-1, and 148.5-2 in the locations shown and as depicted and described in the Project Plans. Any changes to the location, dimensions, or other aspect of the authorized structure shall require prior Agency authorization.
- 5. When brought from off-site, all equipment, including but not limited to trucks, excavators, tractors, etc., and hand excavation tools such as shovels, rakes, and picks, to be used on the project site shall be clean and free of soil, mud, or other similar material. If washed on the project site, equipment shall be washed in one location to prevent the distribution of propagules among different wash sites.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, and 9 NYCRR Part 574. The Agency hereby finds that the project authorized as conditioned herein:

- a. will be consistent with the land use and development plan; will meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Queensbury; and
- b. will be compatible with the character description and purposes, policies, and objectives of the Moderate Intensity land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act; and
- e. will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park or upon the ability of the public to provide supporting facilities and services made necessary by the project.



ADIRONDACK PARK AGENCY

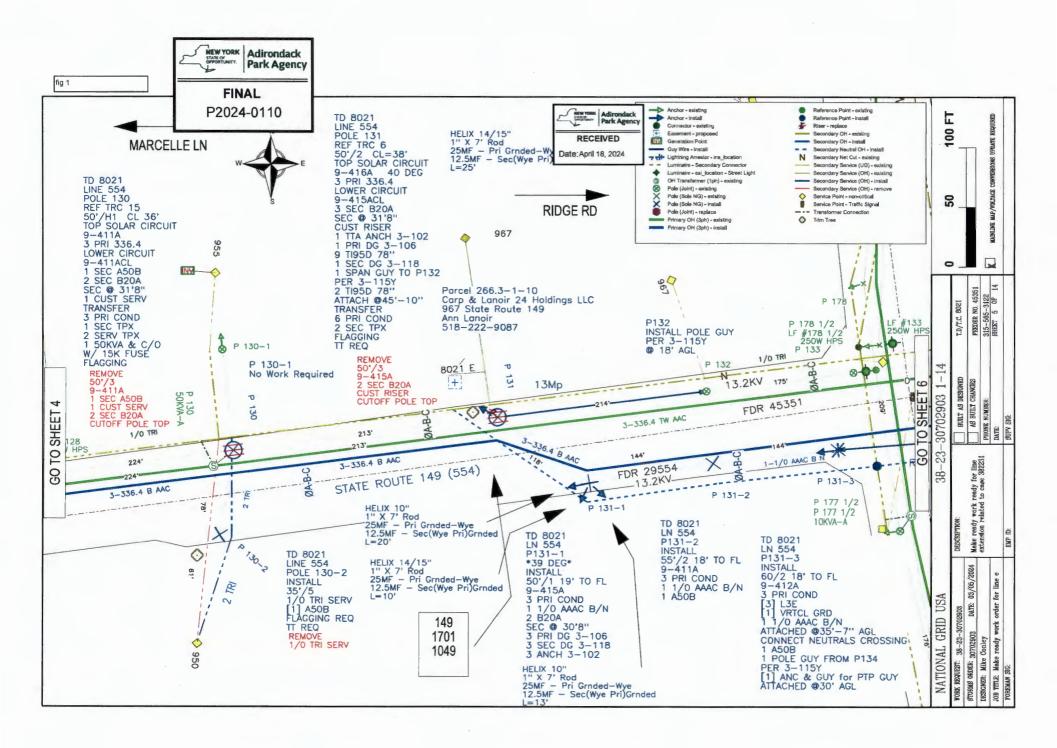
BY: David J. Plante, AICP CEP

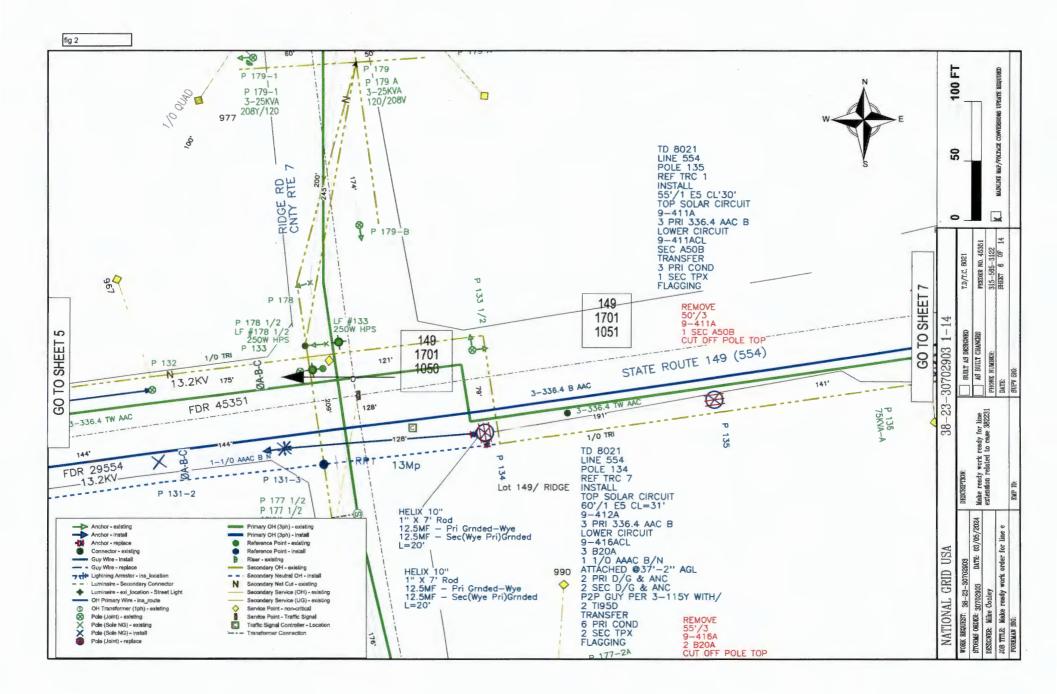
Deputy Director, Regulatory Programs

STATE OF NEW YORK COUNTY OF ESSEX

On the 30 day of May in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Stephanie L. Petith Notary Public. State of New York Reg. No 01PE6279890 Qualified in Franklin County Commission Expires April 15. 20





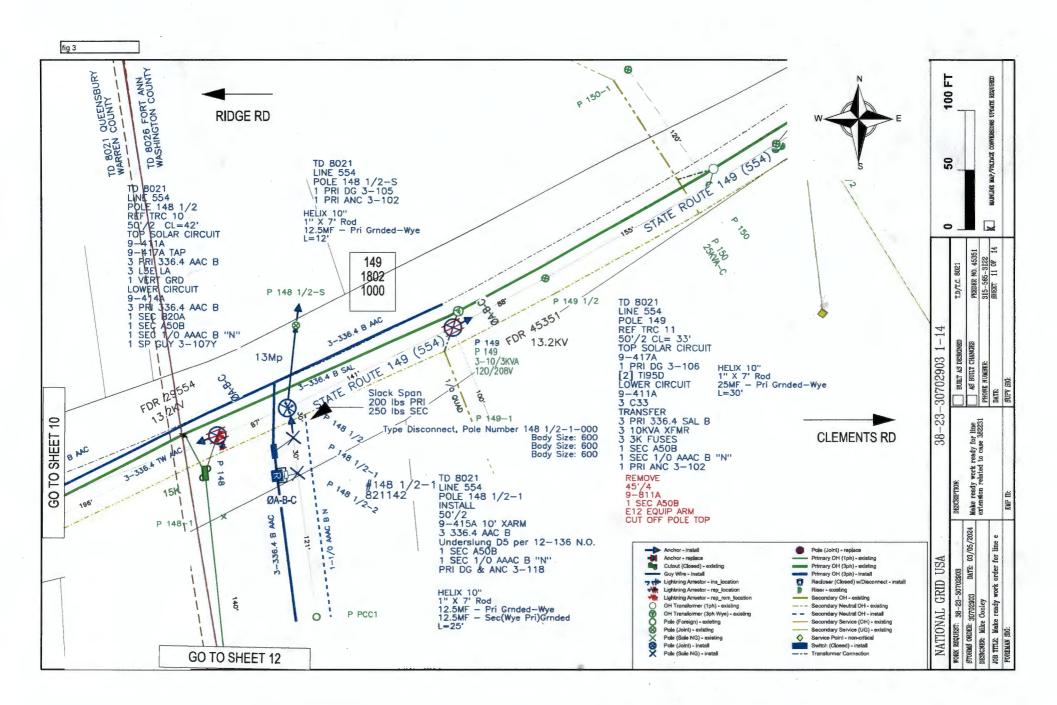


fig 4 National Grid (WR 30702903) Replace and install new utility poles on an existing distribution line on State Route 149 in the town of 179 1/2 Queensbury, Warren County NY. Ridge Rd Pole 135 will be replaced and increase in height. New poles 131-1,131-2,131-3 will be above 40 feet and installed on the south shoulder of State Route 149. 1 TE Tela TESI GIS Location: -73.623,4.397 New Pole 131-2 New pole 131-3 New Pole 131-1 Pole 135 THE B Height: 47.5' Height: 52' Existing Height: 43' Height: 43' New Height: 47.5 TO 1365 State Route 149 RIGO Rd 15:04 149 13392 136 112 136:4 149 115 131 State Routh 949 130 Œ4 144 0 128 0 O 149 State Route 149 TIT 177-2A 177-2 Rd 17/1-5 17612

